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# FEDERAL REGISTER

VOLUME 2      NUMBER 48

*Washington, Friday, March 12, 1937*

## PRESIDENT OF THE UNITED STATES.

MODIFYING EXECUTIVE ORDER NO. 7513 OF DECEMBER 16, 1936,  
TRANSFERRING LANDS FROM THE ROOSEVELT AND PIKE NATIONAL  
FORESTS TO THE ARAPAHO NATIONAL FOREST IN COLORADO

By virtue of and pursuant to the authority vested in me by the act of June 4, 1897, 30 Stat. 11, 36 (U. S. C., title 16, sec. 473), it is ordered that Executive Order No. 7513 of December 16, 1936, transferring lands from the Roosevelt and Pike National Forests to the Arapaho National Forest in Colorado, be, and it is hereby, modified so as to except from the transfer of lands from the Pike to the Arapaho National Forest, and restore to their prior forest status, lands in Clear Creek County lying south and west of the hydrographic divide between the South Platte River drainage on the south and Clear Creek drainage on the north.

It is further ordered that the designation "SE $\frac{1}{4}$ " of Section 32, T. 5 S., R. 71 W., occurring in the said transfer, be changed to "SW $\frac{1}{4}$ ", of that Section.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,  
March 9, 1937.

[No. 7572]

[F. R. Doc. 37-703; Filed, March 10, 1937; 1:11 p. m.]

## EXECUTIVE ORDER

DESIGNATING THE HONORABLE ADOLPH G. WOLFF AS ACTING JUDGE  
OF THE DISTRICT COURT OF THE UNITED STATES FOR PUERTO  
RICO

By virtue of and pursuant to the authority vested in me by section 41 of the act entitled "An Act To provide a civil government for Porto Rico, and for other purposes", approved March 2, 1917 (39 Stat. 965), I hereby designate and authorize the Honorable Adolph G. Wolff, associate justice of the Supreme Court of Puerto Rico, to perform and discharge the duties of the Judge of the District Court of the United States for Puerto Rico and to sign all necessary papers and records as acting judge of the said Court in the absence of the Judge thereof during the current calendar year.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,  
March 9, 1937.

[No. 7573]

[F. R. Doc. 37-704; Filed, March 10, 1937; 1:11 p. m.]

## TREASURY DEPARTMENT.

### Bureau of Customs.

*To Collectors of Customs in the Continental United States:*

Pursuant to the provisions of section 8a of the Provisional Regulations issued under the Gold Reserve Act of 1934, you are hereby instructed, effective immediately, and regardless of whether said Regulations are otherwise complied with, to refuse entry into the continental United States of gold in any form (including gold in its natural state) exported from Mexico, unless there is filed with you a certificate, duly certified by an officer of the Mexican Government, to the effect that such gold was or may be lawfully exported from Mexico. However, these instructions do not apply to

- (1) "Fabricated gold" as defined in said Gold Regulations.
- (2) Any substance, including gold in its natural state, which you are satisfied, after the filing of an appropriate affidavit by the importer, does not contain more than 5 troy ounces of fine gold per short ton.

[SEAL]

HENRY MORGENTHAU, Jr.,  
*Secretary of the Treasury.*

Approved:

FRANKLIN D ROOSEVELT,  
*The White House.*

MARCH 11TH, 1937.

[F. R. Doc. 37-714; Filed, March 11, 1937; 1:28 p. m.]

## DEPARTMENT OF AGRICULTURE.

### Agricultural Adjustment Administration.

ECR-B-101—Guilford County, North Carolina      March 1937  
1937 AGRICULTURAL CONSERVATION PROGRAM—EAST CENTRAL  
REGION

#### BULLETIN 101—GUILFORD COUNTY, NORTH CAROLINA

Pursuant to the authority vested in the Secretary of Agriculture under section 8 of the Soil Conservation and Domestic Allotment Act, as amended, payments will be made in connection with the effectuation of the purposes of section 7 (a) of said Act for 1937, in accordance with the provisions of the bulletins for the respective States of the East Central Region and such modifications or other provisions as may hereafter be made.

The 1937 Agricultural Conservation Program has been developed in accordance with the provisions of sections 6, 15, and 16 of the Soil Conservation and Domestic Allotment Act, but the payment of any benefits pursuant to the provisions of this bulletin is contingent upon such appropriation, if any, as the Congress of the United States may hereafter make for such purpose, and the amounts of such payments will be finally determined by such appropriation and the extent of





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participation in the program. The payments set forth herein are computed upon the basis of an appropriation of \$500,000,000 for the 1937 program and 85 percent participation by farmers in all regions. The payments calculated in accordance with the provisions of part I of this bulletin may be increased or decreased depending upon the extent of participation, but any such variation will not be in excess of 10 percent.

### Part I. Payments

Payment will be made in connection with the utilization in 1937 of the land on any farm in Guilford County, North Carolina, in the amounts and subject to the conditions herein-after set forth.

**SECTION 1. Farm Allowance.**—A farm allowance representing the maximum payment which can be earned will be established for each farm. The farm allowance for each farm will be the sum of the following:

(a) *Cotton.*—5 cents per pound of the base yield per acre of cotton for the farm for each acre of the difference between the allotted cotton acreage and the cotton soil-depleting base for the farm. The allotted cotton acreage for all farms in the county having a cotton soil-depleting base

of more than 5.7 acres shall not be less in the aggregate than 65 percent of the cotton soil-depleting bases for such farms. The allotted cotton acreage for any farm having a cotton soil-depleting base of 5.7 acres or less may be as much as two acres less than the base.

(b) *Tobacco—Flue-Cured.*—5 cents per pound of the base yield per acre of tobacco for the farm for each acre of the difference between the allotted tobacco acreage and the tobacco soil-depleting base for the farm. The allotted tobacco acreage for all farms in the county shall not be less in the aggregate than 75 percent of the tobacco soil-depleting bases for such farms.

(c) *General Soil-Depleting Crops.*—An average of \$7.10 per acre for the entire county, varied according to the productivity of land used for general soil-depleting crops on the farms in the county (rounded to the nearest ten cents for each farm) on a number of acres equal to the difference between the allotted acreage of general soil-depleting crops and the general soil-depleting base for the farm. For farms on which crops in the general soil-depleting base normally are grown in excess of the home-consumption needs of the farm on an acreage equal to 15 percent or more of such base, the allotted acreage of general soil-depleting crops shall not be less in the aggregate than 85 percent of the general soil-depleting bases for such farms. On other farms, the allotted acreage of general soil-depleting crops shall be not less than the general soil-depleting base for the farm. The allotted acreage of general soil-depleting crops on any farm may be larger than the general soil-depleting base, if the County Committee finds that such allotted acreage is required to produce food and feed crops needed for home consumption on the farm or to replace a shortage of feed on the farm caused by drouth or other unfavorable weather conditions in 1936 or 1937.

### (d) Soil-Conserving Crops.

(1) For farms having a cotton or tobacco soil-depleting base, or on which the allotted acreage of general crops is less than the general soil-depleting base, \$1.00 for each acre of soil-conserving crops specified in the farming plan established for the farm, provided that this part of the allowance for any such farm shall not be less than \$10.00.

(2) For farms having no cotton or tobacco soil-depleting base, and having a general soil-depleting base of 20 acres or less and on which the allotted acreage of general soil-depleting crops is as large as the general soil-depleting base for the farm, 75 cents per acre of cropland in the farm; provided that this part of the allowance for any such farm shall not be less than \$20.00.

(e) *Commercial Vegetables.*—\$1.00 for each acre on which only one crop of commercial vegetables was grown in 1936. \$2.00 for each acre on which two or more crops of commercial vegetables were grown in 1936.

(f) *Food and Feed Production to Meet Home Consumption Needs.*—\$10.00 for any farm on which the County Committee finds that there normally has not been made provision for a garden and a milk cow to produce sufficient products for home consumption needs of the family of any producer on such farm and for which the established farming plan makes provision for garden and livestock products for such home consumption needs.

The acreages used in establishing the farm allowance for farms in the county shall not exceed such acreages as shall be established for the county by the Agricultural Adjustment Administration.

**SECTION 2. Establishment of Farming Plan.**—A farming plan will be established for each farm for 1937 upon the recommendation of the County Committee under the supervision and direction of the East Central Division. Such plan will include the following, provided that the provisions of paragraph (d) may be omitted from the plan for any farm:

(a) Growing an acreage of cotton, tobacco, and general soil-depleting crops, respectively, not in excess of the respective allotted acreage for each such crop.

(b) Growing not less than a specified acreage of soil-conserving crops.



- (c) Carrying out specified soil-building practices.
- (d) Producing food and feed to meet home consumption needs.

The specified acreage of soil-conserving crops and the specified soil-building practices shall be such as will most effectively meet the needs of the farm for soil restoration and conservation and prevention of erosion, taking into consideration the past production of crops, the size of the farm, type of soil, topography, and farming practices.

**SECTION 3. Payment for Carrying Out Established Farming Plan.**—The payment for each farm will be the farm allowance, except that if the farming plan is only partially carried out the payment will be the farm allowance decreased by \$1.00 for each point by which the County Committee under the supervision and direction of the East Central Division determines that the farming plan for the farm has not been carried out, and by which any of the soil-building practices specified in the farming plan has been carried out with labor, seed or other materials furnished in whole or in part by any State or Federal agency. For the purpose of determining the number of points by which the farming plan for any farm has not been carried out, each of the following items shall have the value in points shown therefor:

(a) For each acre (or fraction thereof to the nearest tenth acre) of tobacco in excess of the allotted acreage of tobacco for the farm: 40 points.

(b) For each acre (rounded to the nearest whole acre) of cotton or of general soil-depleting crops in excess of the allotted acreage of cotton or general soil-depleting crops, respectively, for the farm: 8 points.

(c) For each acre (rounded to the nearest whole acre) by which the acreage of soil-conserving crops on the farm in 1937 falls below the acreage of soil-conserving crops specified in the farming plan, and for each acre (rounded to the nearest whole acre) on which the seeding of legumes or perennial grasses, growing of green manure crops or cover crops, or subsoiling was specified in the farming plan but on which such practice was not carried out: 2 points.

(d) For each ton of ground limestone (rounded to the nearest ton), for each 400 pounds of 16 percent superphosphate (rounded to the nearest 400 pounds), for each 200 pounds of 50 percent muriate of potash (rounded to the nearest 200 pounds), or their respective equivalents, or for each 500 feet of terrace (rounded to the nearest 500 feet) specified as a soil-building practice in the farming plan for the farm but not carried out: 2 points.

**SECTION 4. Association Expenses.**—There shall be deducted pro rata from the payments made to members of the Guilford County Agricultural Conservation Association all or such part, as the Secretary may prescribe, of the estimated administrative expenses incurred or to be incurred by such association in cooperating in carrying out the Soil Conservation and Domestic Allotment Act.

There shall be credited to the Guilford County Agricultural Conservation Association for the payment of administrative expenses the sum of \$2.00 per application for the number of applications submitted by members of such association under which it is estimated by the Agricultural Adjustment Administration the total payment (prior to deduction of any administrative expenses) will be \$20.00 or less.

**SECTION 5. Payments Restricted to Effectuation of Purposes.**—All or any part of any payment which otherwise would be made to any person may be withheld if any practice is adopted by such person, which the Secretary determines tends to defeat the purposes of the 1937 program.

**SECTION 6. Division of Payments.**—The payment with respect to any farm included under an application shall be divided as stated below.

- (a) 15 percent to the producer who furnished the land.
- (b) 15 percent to the producer who furnished the work-stock and equipment, and
- (c) 70 percent to be divided among the producers who are parties to the lease or operating agreement in the proportion that such producers are entitled to share in the crops grown on the farm in 1937, or the proceeds thereof.

If the County Committee finds that the payment to each producer on the farm which would result from the above method does not accurately measure the contribution of such producer toward carrying out the farming plan, the payment with respect to the farm may be divided upon the basis of agreement of all producers on the farm.

**SECTION 7. Applicability to Farms Under Other Special Programs.**—On any farm where a program is carried out in cooperation with the Soil Conservation Service or the Resettlement Administration payment will be made only for such diversion and for carrying out such soil-building practices as are, prior to performance, approved for the farm by the County Committee in accordance with instructions issued by the Secretary.

## Part II. Classification of Crops

Farm land, when devoted to the crops and used as indicated hereinafter, shall be classified in the manner set forth in this Part II.

**SECTION 1. Soil-Depleting Crops.**—Land on which any of the following crops is grown shall be regarded as used for the production of a soil-depleting crop for the year in which such crop is normally harvested. The acreage of land which is devoted to two or more soil-depleting crops in the same year shall be counted as soil-depleting only once.

- (a) Corn (field corn, sweet corn, and popcorn).
- (b) Cotton.
- (c) Tobacco.
- (d) Peanuts harvested for nuts.
- (e) Broom corn.
- (f) Truck and vegetable crops, including also melons, strawberries, potatoes, and sweet potatoes.
- (g) Sorghum, when harvested.
- (h) Small grains; wheat, oats, barley, rye, buckwheat, and grain mixtures; cut for hay or grain.
- (i) Annual grasses; Sudan, millet, and Italian rye grass, harvested for hay or seed.
- (j) Bulbs and flowers.

**SECTION 2. Soil-Conserving Crops.**—Land devoted to any of the following crops and not used in the same year for the growing of any soil-depleting crop, as defined in section 1 of this Part II, shall be regarded as used for the production of a soil-conserving crop, except as otherwise provided in section 3 below. Cropland from which no crop is harvested during 1937 and which is planted in 1937 not later than October 31 to any crop listed below (other than small grains seeded alone in the fall) shall be considered as soil-conserving. If two or more soil-conserving crops are grown on the same land during any year the acreage of such land counted as soil-conserving shall not exceed the acreage on which such crops are grown.

- (a) Biennial and perennial legumes: Sweet, red, alsike, white, and mammoth clovers; alfalfa; kudzu; and sericea.
- (b) Summer legumes: Soybeans, velvet beans, field peas, and cowpeas.
- (c) Miscellaneous legumes: Vetch, Austrian winter peas; bur clover and crimson clover; annual varieties of lespedeza; crotalaria.
- (d) Peanuts, when pastured.
- (e) Perennial grasses: Bluegrass, Dallis, redtop, timothy, orchard grass, Bermuda, carpet grass, and mixtures of these.
- (f) Annual grasses: Sudan, millet, and Italian ryegrass, not harvested for hay or seed.
- (g) Small grains: Rye, oats, barley, wheat, buckwheat, and grain mixtures, when not cut for grain or hay, provided a good growth is left on the land.
- (h) Forest trees, planted on cropland since January 1, 1934.

**SECTION 3. Soil-Conserving Crops Grown on Land Used for the Production of a Soil-Depleting Crop.**—Land devoted to any of the combinations of soil-conserving and soil-depleting crops listed below shall be classified as follows:

- (a) Acreage on which summer legumes are interplanted or grown in combination with soil-depleting row crops. The entire acreage shall be classified as soil-depleting, and one-half of the acreage also shall be classified as soil-conserving provided the legume occupies at least one-half of the land and attains a good growth.



(b) Acreage on which mixtures of legumes and soil-depleting crops (winter legumes and small grains, or summer legumes and annual grasses) are harvested together. The entire acreage shall be classified as soil-depleting, and one-half of the acreage also shall be classified as soil-conserving provided not less than 50 percent of the total growth harvested consists of such legumes.

(c) Acreage of legumes or of a legume and perennial grass following a soil-depleting crop harvested in the same year (whether seeded in or following such crop). The entire acreage shall be classified as soil-depleting, and one-half of the acreage also shall be classified as soil-conserving, except that if the legume is an annual winter legume (crimson clover, vetch, or Austrian winter peas) the entire acreage also shall be classified as soil-conserving.

(d) Acreage of the crops listed in subsection (b) of section 4 of part I plowed under as green manure after having attained at least two months' normal growth on land from which a commercial vegetable crop is harvested in the same year. The entire acreage of commercial vegetables shall be classified as soil-depleting and the entire acreage also shall be classified as soil-conserving.

SECTION 4. *Neutral Uses.*—Land devoted to the following uses shall be regarded as not used for the production of a soil-depleting crop or a soil-conserving crop:

(a) Vineyards, tree fruits, small fruits, bush fruits, nut trees, and nursery stock not interplanted (any portion of the area which is interplanted shall carry the classification and actual acreage of such interplanted crop).

(b) Idle cropland.

(c) Cultivated fallow land.

(d) Waste land, roads, lanes, lots, yards, and other similar non-crop land.

(e) Woodland, other than cropland planted to forest trees since January 1, 1934.

### Part III. Establishment of Bases

SECTION 1. *Recommendation of Bases.*—Soil-depleting bases for cotton, tobacco, and general soil-depleting crops and a base yield per acre for cotton and tobacco and a rate of payment for diversion from the general soil-depleting base for each farm shall be recommended by the County Committee. The County Committee shall make a recommendation for each farm which is fair and reasonable for such farm as compared with other farms in the county which are similar with respect to the past production of crops, size, type of soil, production facilities, and farming practices. The committee, in making its recommendations, shall take into consideration the bases previously established for such farms under commodity adjustment programs and under the 1936 Agricultural Conservation Program, and shall, insofar as possible, recommend such bases as will result in systems of farming consistent with soil conservation, erosion control, and economic use of farm land and other soil resources.

SECTION 2. *Limits of Bases.*—The general soil-depleting bases, the cotton soil-depleting bases, and the tobacco soil-depleting bases, respectively, established for all farms participating in the 1937 Program in Guilford County shall not exceed the acreage for each such soil-depleting base which is established for such farms in the county by the Agricultural Adjustment Administration.

The total of the cotton or tobacco bases established in 1937 for farms on which such bases were not established in 1936, or on which no cotton or tobacco base acreage was established under a commodity adjustment program in 1935, shall not exceed such acreage in the county as shall be obtained by downward adjustment of the respective soil-depleting bases or base acreages previously established for other farms in the county except as approved by the Agricultural Adjustment Administration.

The weighted average of the rate per acre for diversion from the general soil-depleting base and the weighted average base yield of cotton and tobacco for all farms for which soil-depleting bases are established in Guilford County shall not exceed the respective rate per acre or base yield estab-

lished for such crop(s) for the county by the Agricultural Adjustment Administration.

### Part IV. Miscellaneous Provisions

SECTION 1. *Land To Be Included Under Application.*—An application may be submitted with respect to any farm or with respect to any two or more farms operated by the same person.

SECTION 2. *Application and Eligibility for Payment.*—(a) Payment will be made only upon applications submitted through the county office. The Secretary reserves the right to withhold payment to any person who fails to file any form or furnish any information required with respect to any farm in which he is interested as owner or operator and to refuse to accept any application for payment if such application or any other form or information required is not submitted to the county office within the time fixed by the Director of the East Central Division.

(b) An application for payment may be made by any person who as owner, operator, share-tenant, or sharecropper is entitled to receive a share or all of the crops produced on the farm in 1937 or of the proceeds therefrom.

(c) A farm shall be regarded as being in Guilford County if the principal dwelling on such farm is located in such county, or, in case there is no dwelling on such farm, if the major portion of the farm is located in such county.

(d) Any person who files an application for payment in Guilford County shall file an application with respect to each farm owned or operated by such person in the county. Upon request by the State Committee such person shall also file an application with respect to any farm owned or operated by him in any other county.

SECTION 3. *Membership in Association.*—Any person having an interest in the crops produced on any farm in Guilford County, or the proceeds thereof, who is not a member of the County Agricultural Conservation Association, shall become a member of such association whenever any form or information required in connection with the 1937 Program is submitted for such farm. Any person shall cease to be a member of the association if an application for payment is not filed by him within the time specified by the Director of the East Central Division for the filing of applications.

SECTION 4. *Multiple Farm Holdings.*—If a person who has made application for a payment with respect to any farm or farms has an interest as owner or operator in another farm or farms in the county on which the acreage used for the production of crops included in any soil-depleting base exceeds such base and such other farm or farms have not been included in an application under which a payment can be made, the payment to be made to such person shall be decreased by an amount equal to such person's share of the net deductions with respect to such other farm or farms.

The provisions of this section may be extended to include farms in one or more other counties in the State in which any person as owner or operator is entitled to receive a share of the crops produced thereon, or the proceeds thereof, if the acreage used for the production of any soil-depleting crop(s) on any such farm has been increased to such an extent as to tend to defeat the purposes of the 1937 Program.

### Part V. Definitions

As used herein and in all forms and documents relating to the 1937 Agricultural Conservation Program (herein referred to as the 1937 Program) in Guilford County, the following terms shall have the following meanings:

*Secretary* means the Secretary of Agriculture of the United States.

*East Central Region* means the area included in the States of Delaware, Maryland, Virginia, West Virginia, North Carolina, Kentucky, and Tennessee.

*East Central Division* means the division of the Agricultural Adjustment Administration in charge of the 1937 Program in the East Central Region.

*Guilford County* means the area included in Guilford County, North Carolina, designated to operate under Special Program as provided in section 8, part I of ECR—B-101, North Carolina.



*State Committee, State Agricultural Conservation Committee, or State Office* means the group of persons designated for the State of North Carolina to assist in the administration of the 1937 Program.

*County Committee, County Agricultural Conservation Committee, or County Office* means the group of persons designated for Guilford County to assist in the administration of the 1937 Program.

*Person* means an individual, partnership, association, corporation, estate, or trust, and wherever applicable, a State, a political subdivision of a State, or any agency thereof, or any other government agency that may be designated by the Secretary.

*Operator* means any person who as owner or share-tenant actively supervises and directs the farming activities throughout the 1937 farming season.

*Owner* means a person who owns land which is not rented to another for cash or a fixed commodity payment; and shall include a person who rents land from another for cash or a fixed commodity payment or who is purchasing land for cash or fixed commodity payments.

*Sharecropper* means a person who works a farm in whole or in part under general supervision of the operator and is entitled to receive for his labor a proportionate share of the crops worked by him or the proceeds thereof.

*Share-tenant* means a person, other than an owner or share-cropper, who is working a part or the whole of a farm and is entitled to receive a portion of the crops produced thereon or the proceeds thereof.

*Producer* means an owner, operator, share-tenant or sharecropper, who, under the terms of his lease or operating agreement, is entitled to share in the crops grown on the farm in 1937 or the proceeds thereof.

*Cropland* means all farm land which is tillable and on which at least one crop other than wild hay was harvested or planted for harvest between January 1, 1930, and January 1, 1937, and any other farm land devoted on January 1, 1937, to orchards or vineyards other than those abandoned.

*Cotton soil-depleting base* means the number of acres established for the farm as the acreage normally used for the production of cotton.

*Tobacco soil-depleting base* means the number of acres established for the farm as the acreage normally used for the production of tobacco.

*General soil-depleting base* means the number of acres established for the farm as the acreage normally used for the production of all soil-depleting crops other than cotton and tobacco.

*Allotted acreage* means that acreage of cotton, tobacco, or general soil-depleting crops, respectively, recommended by the County Committee, for any farm in connection with the 1937 Program.

*Farm* means all land which is farmed by an operator in 1937 as a single unit with workstock, farm machinery, and labor substantially separate from that for any other land; provided that any such unit shall not be considered a farm unless the County Committee finds, from a consideration of such factors as size of unit, amount of labor applied, nature of farming operations, and practices carried out, that the participation of such unit in the 1937 Program would tend to promote the economic use and conservation of the land and preserve and improve its fertility for agricultural purposes.

*Commercial vegetables* means any acreage of vegetables or truck crops (including also potatoes, sweet potatoes, sweet corn, melons, cantaloupes, and strawberries, but excluding sweet corn for canning and peas for canning), from which the principal part of the production was sold off the farm in 1936.

*Farm allowance* means the amount for any farm that may be obtained by carrying out the farm plan recommended by the County Committee.

In testimony whereof, H. A. Wallace, Secretary of Agriculture, has hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the

City of Washington, District of Columbia, this 10th day of March, 1937.

[SEAL]

H. A. WALLACE,  
Secretary of Agriculture.

[F. R. Doc. 37-713; Filed, March 11, 1937; 12:51 p. m.]

## FARM CREDIT ADMINISTRATION.

[FCA 32]

AMENDATORY REGULATION NO. 4 OF THE REGULATIONS RELATIVE TO EMERGENCY CROP AND FEED LOANS IN THE CONTINENTAL UNITED STATES MADE PURSUANT TO THE ACT OF CONGRESS APPROVED JANUARY 29, 1937.

MARCH 10, 1937.

Subparagraph (g) of paragraph 5 of the regulations dated February 2, 1937, as amended, is hereby amended to read as follows:

(g) To applicants who are occupants of the same farm or plantation, or are tenants of the same landlord in any one county (with the exception of tenants on land the title of which is vested directly in the United States, or of any State or municipal government, or of any drainage district), in an aggregate amount which (inclusive of all emergency loans theretofore made to them, or any of them, pursuant to the Act of Congress approved January 29, 1937, exceeds the sum of \$1,000; provided, however, that in the area hereinafter designated no such loan will be made to applicants such as are described in this subparagraph (g) in an aggregate amount which (inclusive of all emergency loans aforesaid) exceeds the sum of \$2,500:

North Dakota.

South Dakota.

Nebraska.

Kansas.

Oklahoma.

Montana—Counties as follows: Big Horn, Blaine, Carter, Cascade, Chouteau, Custer, Daniels, Dawson, Fallon, Fergus, Garfield, Glacier, Golden Valley, Hill, Judith Basin, Liberty, McCone, Musselshell, Park, Petroleum, Phillips, Pondera, Powder River, Prairie, Richland, Roosevelt, Rosebud, Sheridan, Stillwater, Sweet Grass, Teton, Toole, Treasure, Valley, Wheatland, Wibaux, Yellowstone.

Texas—Counties as follows: Archer, Armstrong, Baylor, Borden, Briscoe, Callahan, Carson, Childress, Clay, Collingsworth, Cooke, Cottle, Crosby, Dallam, Dickens, Donley, Eastland, Erath, Fisher, Floyd, Foard, Garza, Gray, Hall, Hansford, Hardeman, Hartley, Haskell, Hemphill, Howard, Hutchinson, Jack, Jones, Kent, King, Knox, Lipscombe, Mitchell, Montague, Moore, Motley, Noland, Ochiltree, Oldham, Palo Pinto, Parker, Potter, Randall, Roberts, Scurry, Shackelford, Sherman, Deaf Smith, Stephens, Stonewall, Taylor, Throckmorton, Wheeler, Wichita, Wilbarger, Wise, Young.

[SEAL]

W. I. MYERS,  
Governor, Farm Credit Administration.

[F. R. Doc. 37-706; Filed, March 11, 1937; 11:45 a. m.]

## FEDERAL POWER COMMISSION.

Commissioners: Frank R. McNinch, Chairman; Basil Manly, Vice Chairman; Herbert J. Drane, Claude L. Draper, Clyde L. Seavey.

[Project No. 16]

IN RE LICENSE ISSUED TO THE NIAGARA FALLS POWER COMPANY

ORDER POSTPONING AND ENLARGING REHEARING

The following order was adopted:

Upon further consideration of the pending application of The Niagara Falls Power Company for amendment of license for project No. 16 so as to include the diversion and use of 275 c. f. s. of water through said project,

It is ordered:

(1) That the purpose of the hearing set by the order of the Commission adopted February 9, 1937,<sup>1</sup> be enlarged to include the investigation of the following questions: (a) Whether or not the plans of the applicant for the use of the 275 c. f. s. of water applied for through existing licensed project works and in connection with its use of 19,725 c. f. s. already under license are best adapted to the most comprehensive plan for improving or developing the Niagara River for the use or benefit of interstate or foreign commerce and for the improvement and utilization of water power development of that river, and for other beneficial public uses,

<sup>1</sup> 2 F. R. 373.



including recreational purposes; (b) Whether or not said plans are best adapted to develop, conserve, and utilize in the public interest the navigation and water-power resources of the region; (c) The bearing on (a) and (b), above, of the applicant's stock ownership, intercorporate relationships, and affiliations; and, (d) Such other matters as may be necessary to enable the Commission to pass upon said application for amendment;

(2) That said hearing be postponed from March 17th to Tuesday, May 11, 1937.

Adopted by the Commission on March 9, 1937.

[SEAL]

LEON M. FUQUAY,  
Acting Secretary.

[F. R. Doc. 37-705; Filed, March 11, 1937; 9:55 a. m.]

## SECURITIES AND EXCHANGE COMMISSION.

### *United States of America—Before the Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 10th day of March, A. D., 1937.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE PHILLIPS-SHELL-McCAUGHTRY FARM, FILED ON FEBRUARY 16, 1937, BY W. R. CURRY, RESPONDENT

#### ORDER TERMINATING PROCEEDING AFTER EXPLANATION

The Securities and Exchange Commission, having received an explanation of the matters alleged as constituting the grounds for the suspension of the effectiveness of the filing of the offering sheet described in the title hereof, which order was entered on February 23, 1937;

It is ordered that the Suspension Order, Order for Hearing and Order Designating a Trial Examiner, heretofore entered in this proceeding,<sup>1</sup> be and the same are hereby revoked and the said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-712; Filed, March 11, 1937; 12:48 p. m.]

### *United States of America—Before the Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 10th day of March, A. D., 1937.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE PHILLIPS-HAUCH FARM, FILED ON MARCH 4, 1937, BY JAMES H. HILT, RESPONDENT

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340 (A)), AND ORDER DESIGNATING TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet described in the title hereof and filed by the respondent named therein is complete or inaccurate in the following material respects, to wit:

(1) In that the farm name is omitted from the heading of the schedule;

(2) In that the words "or disapproved" are not included in Division I, paragraph 2;

(3) In that the answer to Division II, Item 3 (c) (iv), does not disclose the place where the rental is payable;

(4) In that the statement made under Division II, Item 9, is not responsive to the question and is, therefore, inaccurate by virtue of the fact that the copy of case-drill structure map is not included;

(5) In that the name of the railroad is omitted from the information required by Division II, Item 10 (d);

(6) In that the text required to be set forth following Division II, Item 11, is omitted;

(7) In that the information required by the question asked under Division II, Item 15, is nonresponsive. It is, therefore, inaccurate and might be misleading;

(8) In that Division II, Item 18 (b), does not clearly set forth the terms and conditions under which the funds are to be impounded and might, therefore, be misleading;

(9) In that the plat attached to the offering sheet, which should be designated "Exhibit A", is inaccurate in the following particulars:

(a) lease boundaries not clearly designated;

(b) operators' names omitted;

(c) area surrounding lease boundaries to 1/8 of a mile is not shown in detail;

(10) In that a proposed instrument of conveyance, required by Exhibit B, is omitted;

It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, suspended until the 9th day of April, 1937; that an opportunity for hearing be given to the said respondent for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension shall be revoked or continued; and

It is further ordered that Richard Townsend, an officer of the Commission be, and hereby is, designated as trial examiner to preside at such hearing, to continue or adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to said offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered that the taking of testimony in this proceeding commence on the 25th day of March, 1937, at 10:00 o'clock in the forenoon, at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said examiner may designate.

Upon the completion of testimony in this matter the examiner is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-707; Filed, March 11, 1937; 12:47 p. m.]

### *United States of America—Before the Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 10th day of March, A. D., 1937.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE PHILLIPS-NELSON FARM, FILED ON MARCH 4, 1937, BY JAMES H. HILT, RESPONDENT

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340 (A)), AND ORDER DESIGNATING TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet described in the title hereof and filed by the respondent named therein is incomplete or inaccurate in the following material respects, to wit:

(1) In that the farm name is omitted from the heading of the schedule;

(2) In that the words "or disapproved" are not included in Division I, paragraph 2;

(3) In that the answer to Division II, Item 3 (c) (iv), does not disclose the place where the rental is payable;

(4) In that the statement made under Division II, Item 9, is not responsive to the question and is, therefore, inaccurate;

<sup>1</sup> 2 F. R. 429.



curate by virtue of the fact that the copy of case-drill structure map is not included;

(5) In that the name of the railroad is omitted from the information required by Division II, Item 10 (d);

(6) In that the text required to be set forth following Division II, Item 11, is omitted;

(7) In that the information required by the question asked under Division II, Item 15, is nonresponsive. It is, therefore, inaccurate and might be misleading;

(8) In that Division II, Item 18 (b), does not clearly set forth the terms and conditions under which the funds are to be impounded and might, therefore, be misleading;

(9) In that the plat attached to the offering sheet, which should be designated "Exhibit A", is inaccurate in the following particulars:

(a) lease boundaries not clearly designated;

(b) operators' names omitted;

(c) area surrounding lease boundaries to  $\frac{1}{8}$  of a mile is not shown in detail;

(10) In that a proposed instrument of conveyance, required by Exhibit B, is omitted;

It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, suspended until the 9th day of April, 1937; that an opportunity for hearing be given to the said respondent for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension shall be revoked or continued; and

It is further ordered that Richard Townsend, an officer of the Commission be, and hereby is, designated as trial examiner to preside at such hearing, to continue or adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to said offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered that the taking of testimony in this proceeding commence on the 25th day of March, 1937, at 10:00 o'clock in the forenoon, at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said examiner may designate.

Upon the completion of testimony in this matter the examiner is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-711; Filed, March 11, 1937; 12:48 p. m.]

*United States of America—Before the Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 10th day of March, A. D., 1937.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE PHILLIPS-RAWSON FARM, FILED ON MARCH 4, 1937, BY JAMES H. HILT, RESPONDENT

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340 (A)), AND ORDER DESIGNATING TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet described in the title hereof and filed by the respondent named therein is incomplete or inaccurate in the following material respects, to wit:

(1) In that the farm name is omitted from the heading of the schedule;

(2) In that the words "or disapproved" are not included in Division I, paragraph 2;

(3) In that the answer to Division II, Item 3 (c) (iv), does not disclose the place where the rental is payable;

(4) In that the statement made under Division II, Item 9, is not responsive to the question and is, therefore, inaccurate by virtue of the fact that the copy of case-drill structure map is not included;

(5) In that the name of the railroad is omitted from the information required by Division II, Item 10 (d);

(6) In that the text required to be set forth following Division II, Item 11, is omitted;

(7) In that the information required by the question asked under Division II, Item 15, is nonresponsive. It is, therefore, inaccurate and might be misleading;

(8) In that Division II, Item 18 (b), does not clearly set forth the terms and conditions under which the funds are to be impounded and might, therefore, be misleading;

(9) In that the plat attached to the offering sheet, which should be designated "Exhibit A", is inaccurate in the following particulars:

(a) lease boundaries not clearly designated;

(b) operators' names omitted;

(c) area surrounding lease boundaries to  $\frac{1}{8}$  of a mile is not shown in detail;

(10) In that a proposed instrument of conveyance, required by Exhibit B, is omitted;

It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, suspended until the 9th day of April, 1937; that an opportunity for hearing be given to the said respondent for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension shall be revoked or continued; and

It is further ordered that Richard Townsend, an officer of the Commission be, and hereby is, designated as trial examiner to preside at such hearing, to continue or adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to said offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered that the taking of testimony in this proceeding commence on the 25th day of March, 1937, at 10:00 o'clock in the forenoon, at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said examiner may designate.

Upon the completion of testimony in this matter the examiner is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-710; Filed, March 11, 1937; 12:48 p. m.]

*United States of America—Before the Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 10th day of March, A. D., 1937.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE WAMHOFF-MUSE (80-ACRE TRACT) FARM, FILED ON MARCH 4, 1937, BY JAMES H. HILT, RESPONDENT

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340 (A)), AND ORDER DESIGNATING TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the



offering sheet described in the title hereof and filed by the respondent named therein is incomplete or inaccurate in the following material respects, to wit:

(1) In that the farm name is omitted from the heading of the schedule;

(2) In that the words "or disapproved" are not included in Division I, paragraph 2;

(3) In that the answer to Division II, Item 3 (c) (iv), does not disclose the place where the rental is payable;

(4) In that the statement made under Division II, Item 9, is not responsive to the question and is, therefore, inaccurate by virtue of the fact that the copy of case-drill structure map is not included;

(5) In that the name of the railroad is omitted from the information required by Division II, Item 10 (d);

(6) In that the text required to be set forth following Division II, Item 11, is omitted;

(7) In that the information required by the question asked under Division II, Item 15, is nonresponsive. It is, therefore, inaccurate and might be misleading;

(8) In that Division II, Item 18 (b), does not clearly set forth the terms and conditions under which the funds are to be impounded and might, therefore, be misleading;

(9) In that the plat attached to the offering sheet, which should be designated "Exhibit A", is inaccurate in the following particulars:

(a) lease boundaries not clearly designated;

(b) operators' names omitted;

(c) area surrounding lease boundaries to  $\frac{1}{8}$  of a mile is not shown in detail;

(10) In that a proposed instrument of conveyance, required by Exhibit B, is omitted;

It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, suspended until the 9th day of April, 1937; that an opportunity for hearing be given to the said respondent for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension shall be revoked or continued; and

It is further ordered that Richard Townsend, an officer of the Commission be, and hereby is, designated as trial examiner to preside at such hearing, to continue or adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to said offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered that the taking of testimony in this proceeding commence on the 25th day of March, 1937, at 10:00 o'clock in the forenoon, at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said examiner may designate.

Upon the completion of testimony in this matter the examiner is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-708; Filed, March 11, 1937; 12:47 p. m.]

*United States of America—Before the Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 10th day of March, A. D., 1937.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE WAMHOFF-MUSE (160-ACRE TRACT) FARM, FILED ON MARCH 4, 1937, BY JAMES H. HILT, RESPONDENT

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340 (A)), AND ORDER DESIGNATING TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet described in the title hereof and filed by the respondent named therein is incomplete or inaccurate in the following material respects, to wit:

(1) In that the farm name is omitted from the heading of the schedule;

(2) In that the words "or disapproved" are not included in Division I, paragraph 2;

(3) In that the answer to Division II, Item 3 (c) (iv), does not disclose the place where the rental is payable.

(4) In that the statement made under Division II, Item 9, is not responsive to the question and is, therefore, inaccurate by virtue of the fact that the copy of case-drill structure map is not included;

(5) In that the name of the railroad is omitted from the information required by Division II, Item 10 (d);

(6) In that the text required to be set forth following Division II, Item 11, is omitted;

(7) In that the information required by the question asked under Division II, Item 15, is nonresponsive. It is, therefore, inaccurate and might be misleading;

(8) In that Division II, Item 18 (b), does not clearly set forth the terms and conditions under which the funds are to be impounded and might, therefore, be misleading;

(9) In that the plat attached to the offering sheet, which should be designated "Exhibit A", is inaccurate in the following particulars:

(a) lease boundaries not clearly designated;

(b) operators' names omitted;

(c) area surrounding lease boundaries to  $\frac{1}{8}$  of a mile is not shown in detail;

(10) In that a proposed instrument of conveyance, required by Exhibit B, is omitted;

It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, suspended until the 9th day of April, 1937; that an opportunity for hearing be given to the said respondent for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension shall be revoked or continued; and

It is further ordered that Richard Townsend, an officer of the Commission be, and hereby is, designated as trial examiner to preside at such hearing, to continue or adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to said offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered that the taking of testimony in this proceeding commence on the 25th day of March, 1937, at 10:00 o'clock in the forenoon, at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said examiner may designate.

Upon the completion of testimony in this matter the examiner is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-709; Filed, March 11, 1937; 12:47 p. m.]